

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

FILED IN OPEN COURT  
ON 8-7-2023 PM  
Peter A. Moore, Jr., Clerk  
US District Court  
Eastern District of NC

NO. 7:23-cr-79-1BO

UNITED STATES OF AMERICA

v.


JAMES ALLEN

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ORDER

Pursuant to Rule 5(f)(1) of the Federal Rules of Criminal Procedure, as amended by the Due Process Protections Act, Pub. L. No. 116-182, 134 Stat. 894 (Oct. 21, 2020), the court hereby confirms the government's disclosure obligation under *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny. *See Brady*, 373 U.S. at 87 ("[T]he suppression by the prosecution of evidence favorable to an accused upon request violates due process where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution."). Failure by the government to comply with its disclosure obligation may result in the exclusion of evidence, adverse jury instructions, dismissal or reversal of charges, vacatur of sentence, contempt proceedings, or imposition of sanctions, among other consequences.

SO ORDERED, the 7th day of August, 2023.

  
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Robert B. Jones, Jr.  
United States Magistrate Judge